

**ORIGINAL**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

William DiGianni,

Plaintiff Pro-se,

-against-

**COMPLAINT  
FOR RETALIATION  
UNDER THE  
EMPLOYMENT DISCRIMINATION  
ANTI-RETALIATION CLAUSE**

Jury Trial Demanded Yes

Pearson,  
Pearson Education,  
Richard Mills Commissioner for  
New York State Department of Education,  
New York State Department of Education,  
American International Group,  
Defendants.

**MAUSKOPF, J.  
BLOOM, M.J.**

This action is brought for adverse actions taken against me by the defendants under **TITLE V of the Civil Rights Act of 1964**, because they **retaliated against me** for having filed complaints for employment discrimination, pursuant to:

- ☒ **Title V of the Civil Rights Act of 1964, as codified, 42 USC Sections 2000e to 2000e-17, which has Title V as an Anti-Retaliation Clause.**

**I. Parties in the complaint**

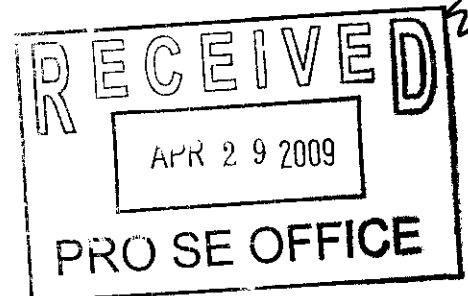
A.

Plaintiff

William DiGianni  
2147 83<sup>rd</sup> Street  
Brooklyn  
New York, 11214  
(917) 213-8335  
GuillermoD05@aol.com

B.

Defendants: New York State Department of Education  
89 Washington Avenue  
Albany, New York 12234



Richard Mills Commissioner for  
New York State Department of Education  
89 Washington Avenue  
Albany, N.Y. 12234

Pearson  
330 Ave. of the Americas  
New York, N.Y. 10019

Pearson Education (a Division of Pearson)  
One Lake Street  
Upper Saddle River, N.J. 07458  
(201) 236-7000

American International Group  
175 Water Street  
New York, N.Y. 10038

C. The address where the **adverse actions** the defendants took against me out of  
**Retaliation for having filed Title VII complaints for employment discrimination** is:

William DiGianni  
2147 83<sup>rd</sup> Street  
Brooklyn,  
N.Y. 11214  
(917)213-8335

**II. Statement of Claim:**

A. The adverse action I complain about in this action that the defendants took against me

was out of **Retaliation** for my having filed Title VII Civil Rights complaints for  
employment discrimination the past.

B. It is my best recollection that the alleged adverse actions taken against me by:

New York State Department of Education, Richard Mills, Commissioner for New York  
State Department of Education, Pearson, and Pearson Education (A Division of Pearson)  
occurred on: November 7, 2008; and

American International Group, occurred on December 25, 2008.

C. I believe that the defendants are still committing these acts against me.

D. Defendants took adverse actions against me out of Retaliation because I had filed Title VII Civil Rights cases for employment discrimination in the past.

E. The facts of my case are as follow:

I am an individual who has filed statutory Title VII complaints under the Civil Rights Act of 1964 for employment discrimination in EEOC, OCR and in Federal Court.

New York State Department of Education, Richard Mills, the Commissioner for the New York State Department of Education, Pearson, and Pearson Education (A Division of Pearson) knew that I had filed Title VII complaints under the Civil Rights Act of 1964 for employment discrimination in the past; and

These defendants retaliated against me for doing so, in this action that took place on November 7, 2008, when they denied me the alternative testing accommodations I had requested to take the New York State Teacher Certification Examinations to meet my needs; and

These defendants took further adverse action against me when the reason they gave was mere PRETEXT; and

The adverse action these defendants took against me prevented me from being employed as a teacher or even a teacher assistant anywhere in the State of New York; and because

I took their actions against me to have been aversive and retaliatory against me, just because I had filed those Title VII complaints in the past.

American International Group knew that I had filed Title VII complaints under the Civil Rights Act of 1964 for employment discrimination in the past, at least because of a prior Title V case for Retaliation under the Employment Discrimination Anti-Retaliation Clause I had filed against them in the past; and

This defendant took adverse action against me on December 25, 2008 when they refused to let me complete my on-line application for employment with them – just because they didn't want to hire a troublemaker; and

This defendant would not let me access my on-line application any further; and because

I took their actions against me to have been aversive and retaliatory against me, just because I had filed those Title VII complaints in the past.

### **III. Exhaustion of Federal Administrative Remedies:**

A. It is my best recollection that I filed a charge with the Equal Employment Opportunity Commission or my Equal Employment Opportunity counselor regarding defendants' alleged aversive Retaliatory actions under Title V for Retaliation under the Employment

Discrimination Anti-Retaliation Clause on: February 2, 2009, not for any sense of "rehashing." These are separate cases which took place at different times.


- B. The Equal Employment Opportunity Commission issued Notices of Right to Sue letters, which I received on February 27, 2009.

**IV. Relief:**

**Wherefore**, plaintiff prays that the Court grant such relief as may be appropriate, including injunctive orders, damages, and costs as follows: in the amount of at least \$5,000,000.00 (five million dollars) each, as well as punitive damages and exemplary charges, each, as the jury may allow.

**I declare under penalty of perjury that the foregoing is true and correct.**

Signed this 24<sup>TH</sup> day of APRIL, 2009.

Signature of Plaintiff: 

Address

2147 83<sup>rd</sup> Street

Brooklyn, N.Y. 11214

Telephone Number

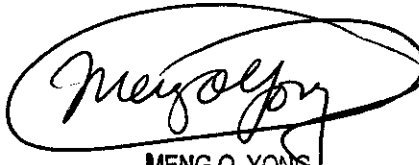
(917)213-8335

E-Mail address

GuillermoD05@aol.com

Fax Number

347-374-6325



MENG O. YONG

NOTARY PUBLIC, STATE OF NEW YORK

QUALIFIED IN KINGS COUNTY

REG. NO. 01Y06190048

MY COMMISSION EXPIRES 07-07-2012

EEOC Form 181 (2/05)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: William DiGianni  
2147 83rd Street  
Brooklyn, NY 11214

From: New York District Office  
33 Whitehall Street  
5th Floor  
New York, NY 10004

☐

On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

520-2009-01611

John B. Douglass,  
Supervisory Investigator

(212) 336-3765

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

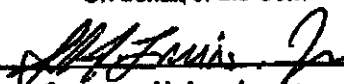
- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

On behalf of the Commission

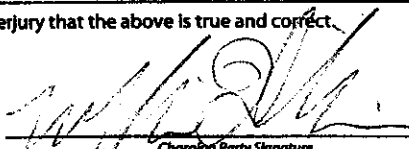
  
Spencer H. Lewis, Jr.,  
Director

2/27/09

(Date Mailed)

Enclosures(s)

cc: PEARSON EDUCATION  
Attn: Human Resources Director  
1330 Avenue Of The Americas  
New York, NY 10019

<b>CHARGE OF DISCRIMINATION</b>		Charge Presented To: _____ Agency(ies) Charge No(s): _____ <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC <b>620 2009 01611</b>	
This form is affected by the Privacy Act. See enclosed Privacy Act Statement and other information before completing this form.		and EEOC	
<small>State or local Agency, if any</small>			
Name (Indicate Mr., Ms., Mx.) <b>MR. William DiGianni</b>		Date of Birth <b>11/24/80</b>	
Street Address <b>2147 83rd ST.</b>		City, State and ZIP Code <b>BROOKLYN NY 11214</b>	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)			
Name <b>PEARSON</b>		No. Employees, Members <b>500+</b>	Phone No. with Area Code _____
Street Address <b>1330 Ave. of Americas</b>		City, State and ZIP Code <b>NEW YORK NY 10019</b>	
Name <b>PEARSON Education</b>		No. Employees, Members <b>500+</b>	Phone No. with Area Code _____
Street Address <b>ONE LAKE ST.</b>		City, State and ZIP Code <b>Upper Saddle River, N.J. 07458</b>	
DISCRIMINATION BASED ON (Check appropriate box(es))		DATE(S) DISCRIMINATION TOOK PLACE	
<input type="checkbox"/> RACE		Earliest _____ Latest _____	
<input type="checkbox"/> COLOR		<b>11/07/08</b>	
<input type="checkbox"/> SEX		<input type="checkbox"/> CONTINUING ACTION	
<input checked="" type="checkbox"/> RETALIATION <b>TITLE VII</b>		<input type="checkbox"/> OTHER (Specify below) _____	
<input type="checkbox"/> AGE			
<input type="checkbox"/> DISABILITY			
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I Am an individual with a qualifying disability who has filed Title VII complaint with CRA 1964. In Reason/Pearson Education took Aversive Action against me Federal agency court in 11/07/08 when they denied me the testing accommodations I had requested to take the NYS TCE teacher certification exams they administered NYS Doc - To meet my needs. They did this action against me because they knew I filed statutory Title VII complaint with the CRA 1964 in the past - in Federal agencies and Courts - because they were the defendants, under NYS in the past. The reason they gave was also Aversive to me - It was none <u>Pretext</u> The Aversive action Reason/Pearson Ed took Against me prevents me from being employed as a certified teacher in New York State.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State or Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date <b>01/21/09</b>		SIGNATURE OF COMPLAINANT	
Charging Party Signature 		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	



**U.S. Equal Employment Opportunity Commission  
New York District Office**

33 Whitehall Street  
5th Floor  
New York, NY 10004  
(212) 336-3620  
TDD: 1-800-669-6820  
FAX (212) 336-3625  
1-800-669-4000

Respondent: PEARSON EDUCATION  
EEOC Charge No.: 520-2009-01611  
FEPA Charge No.:

February 24, 2009

William DiGianni  
2147 83rd Street  
Brooklyn, NY 11214

Dear Mr. DiGianni:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the above-named respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

- ☒ Title VII of the Civil Rights Act of 1964 (Title VII)
- ☐ The Age Discrimination in Employment Act (ADEA)
- ☐ The Americans with Disabilities Act (ADA)
- ☐ The Equal Pay Act (EPA)

You need do nothing further at this time. We will contact you when we need more information or assistance. A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

- ☒ Please be aware that we will send a copy of the charge to the agency listed below as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.  
New York State Division Of Human Rights  
Federal Contract Unit  
One Fordham Plaza, 4 Fl.  
Bronx, NY 10458

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely,

Roxanne Zygmund  
Investigator  
(212) 336-3766

Office Hours: Monday – Friday, 8:30 a.m. - 5:00 p.m.  
[www.eeoc.gov](http://www.eeoc.gov)

Enclosure(s)



## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: William DiGianni  
2147 83rd Street  
Brooklyn, NY 11214

From: New York District Office  
33 Whitehall Street  
5th Floor  
New York, NY 10004



On behalf of person(s) aggrieved whose identity is  
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

Roxanne Zygmund,  
Investigator

(212) 336-3764

520-2009-01612

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

**Equal Pay Act (EPA):** EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

*Spencer H. Lewis, Jr.*

Spencer H. Lewis, Jr.,  
Director

2/27/09

(Date Mailed)

Enclosures(s)

cc:

NYS DEPARTMENT OF EDUCATION  
Attn: Office Of Legal Services  
89 Washington Avenue  
Albany, NY 12234



EEOC Form-5 (5/01)		Charge Presented To: Agency(ies) Charge No(s):	
<b>CHARGE OF DISCRIMINATION</b> This form is affected by the Privacy Act. See enclosed Privacy Act Statement and other information before completing this form.		<input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 520 200901612	
		and EEOC	
State or local Agency, if any		Date of Birth	
Name (Indicate Mr., Ms., Mrs.) MR. William Di Gianni		11/24/80	
Street Address 2147 83rd ST. BROOKLYN, N.Y. 11214		City, State and ZIP Code	
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)			
Name New York State Department of Education		No. Employees, Members 500 +	Phone No. with Area Code
Street Address 89 WASHINGTON Ave ALBANY, N.Y. 12234		City, State and ZIP Code	
Name Richard Miller Commission for New York State Dept of Ed		No. Employees, Members	Phone No. with Area Code
Street Address 89 WASHINGTON Ave. ALBANY, N.Y. 12234		City, State and ZIP Code	
DISCRIMINATION BASED ON (Check appropriate box(es).)			DATE(S) DISCRIMINATION TOOK PLACE
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN			Earliest Latest 11/07/08
<input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify below) TITLE VII			<input type="checkbox"/> CONTINUING ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): I am an individual who has filed STATUTORY TITLE VII complaints in the past under the Civil Rights Act of 1964, in the past in EEOC, OCR and in Federal Court for employment discrimination. New York State Department of Education, NYS, and Richard Miller, the Commissioner of Ed for NYS, took AVERSE ACTION AGAINST me on 11/07/08, when they denied me <del>of the</del> testing accommodations I had requested to take the NYS TCE teacher certification exams to meet my needs because I had filed STATUTORY TITLE VII complaints under the CRA of 1964, in the past. They knew I did - because they were the defendant. - And - The Reason - they gave me was further aversive - by being more PRETEXT. The aversive action NYS DOE took AGAINST me prevents me from being employed as a certified teacher NYS.			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State or Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
2/2/09 [Signature] Date Charging Party Signature		SIGNATURE OF COMPLAINANT	
		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	



**U.S. Equal Employment Opportunity Commission  
New York District Office**

33 Whitehall Street  
5th Floor  
New York, NY 10004  
(212) 336-3620  
TDD: 1-800-669-6820  
FAX (212) 336-3625  
1-800-669-4000

Respondent: NYS DEPARTMENT OF EDUCATION  
EEOC Charge No.: 520-2009-01612  
FEPA Charge No.:

February 24, 2009

William DiGianni  
2147 83rd Street  
Brooklyn, NY 11214

Dear Mr. DiGianni:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the above-named respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

- ☒ Title VII of the Civil Rights Act of 1964 (Title VII)
- ☐ The Age Discrimination in Employment Act (ADEA)
- ☐ The Americans with Disabilities Act (ADA)
- ☐ The Equal Pay Act (EPA)

You need do nothing further at this time. We will contact you when we need more information or assistance. A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

- ☒ Please be aware that we will send a copy of the charge to the agency listed below as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.
- New York State Division Of Human Rights  
Federal Contract Unit  
One Fordham Plaza, 4 Fl.  
Bronx, NY 10458

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely,

---

Roxanne Zygmund  
Investigator  
(212) 336-3766

Office Hours: Monday – Friday, 8:30 a.m. - 5:00 p.m.  
[www.eeoc.gov](http://www.eeoc.gov)

Enclosure(s)



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**New York District Office**

33 Whitehall Street, 5<sup>th</sup> Floor  
New York, NY 10004-2112  
For General Information: (800) 669-4000  
TTY: (800)-669-6820  
District Office: (212) 336-3630  
General FAX: (212) 336-3625

William A. DiGianni  
2147 83<sup>rd</sup> Street  
Brooklyn, NY 11214

Re: *William DiGianni v. NYS Department of Education*  
EEOC Charge No: 520-2009-01612

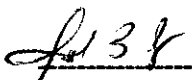
Dear Mr. DiGianni:

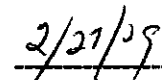
The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon the information and evidence you submitted. Based on this evaluation, we can not conclude that you were subjected to an adverse employment action motivated by discriminatory animus as defined by Commission guidelines and federal law because the EEOC does not have jurisdiction over Title V.

Attached is your Dismissal and Notice of Rights. If you wish to pursue this matter further in federal court, your lawsuit must be filed within 90 days of your receipt of the Notice. Please contact John Douglass, Supervisory Investigator at (212) 336-3765 if you have any questions.

Sincerely,

\_\_\_\_\_  
For  
Spencer H. Lewis, Jr.  
District Director

\_\_\_\_\_  
Date

enc.

151 (2008)

## U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

## DISMISSAL AND NOTICE OF RIGHTS

To: **William A. DiGianni**  
**2147 83rd Street**  
**Brooklyn, NY 11214**

From: **New York District Office**  
**33 Whitehall Street**  
**5th Floor**  
**New York, NY 10004**



On behalf of person(s) aggrieved whose identity is  
**CONFIDENTIAL (29 CFR §1601.7(a))**

EEOC Charge No.

EEOC Representative

Telephone No.

**520-2009-01610**

**John B. Douglass,**  
**Supervisory Investigator**

**(212) 336-3765**

## THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



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Other (briefly state)

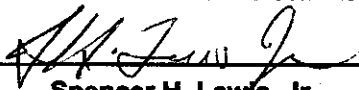
## - NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

**Title VII, the Americans with Disabilities Act, and/or the Age Discrimination in Employment Act:** This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a state claim may be different.)

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On behalf of the Commission



**Spencer H. Lewis, Jr.,**  
**Director**

2/27/09

(Date Mailed)

Enclosures(s)

cc: **AMERICAN INT'L GROUP (A.I.G.)**  
**Attn: Human Resources Director**  
**175 Water Street 18th Floor**  
**New York, NY 10038**

EEOC Form 5 (5/01)

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☐ FEPA☒ EEOC

520 2009 01610

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

MR. William DiGianni

Date of Birth

11/24/80

Street Address

City, State and ZIP Code

2147 83rd St. Brooklyn, N.Y. 11214

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two are named, list under PARTICULARS below.)

Name

American International Group

No. Employees, Members

5000

Phone No. with Area Code

Street Address

City, State and ZIP Code

175 WATER STREET New York, N.Y. 10038

Name

No. Employees, Members

Phone No. with Area Code

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE☐ COLOR☐ SEX☐ RELIGION☐ NATIONAL ORIGIN☒ RETALIATION☐ AGE☐ DISABILITY☐ OTHER (Specify below)

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

12/25/08

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)).

I AM an individual who has filed Title VII complaints under the Civil Rights Act of 1964 - in federal agencies (EEOC & CC) and in Federal Court - in the past, for employment discrimination.

AIG knew that I had filed Title VII complaints because they had as defendants in Federal Court in a prior case I had against them. They had learned of the Title VII complaints I had filed in federal agencies and courts - for employment discrimination against other defendants.

AIG TOOK AVERSE ACTION against me on 12/25/08, when they refused to let me complete my on-line application for employment with them - just because they did not want to hire a trouble-maker.

AIG would not let me access my on-line application any further.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State or Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

Date

Charging Party Signature

2/2/09 [Signature]



**U.S. Equal Employment Opportunity Commission  
New York District Office**

33 Whitehall Street  
5th Floor  
New York, NY 10004  
(212) 336-3620  
TDD: 1-800-669-6820  
FAX (212) 336-3625  
1-800-669-4000

Respondent: AMERICAN INT'L GROUP (A.I.G.)  
EEOC Charge No.: 520-2009-01610  
FEPA Charge No.:

February 24, 2009

William A. DiGianni  
2147 83rd Street  
Brooklyn, NY 11214

Dear Mr. DiGianni:

This is to acknowledge receipt of the above-numbered charge of employment discrimination against the above-named respondent. Please use the "EEOC Charge No." listed above whenever you call us about this charge. The information provided indicates that the charge is subject to:

- ☒ Title VII of the Civil Rights Act of 1964 (Title VII)
- ☐ The Age Discrimination in Employment Act (ADEA)
- ☐ The Americans with Disabilities Act (ADA)
- ☐ The Equal Pay Act (EPA)

You need do nothing further at this time. We will contact you when we need more information or assistance. A copy of the charge or notice of the charge will be sent to the respondent within 10 days of our receipt of the charge as required by our procedures.

- ☒ Please be aware that we will send a copy of the charge to the agency listed below as required by our procedures. If the charge is processed by that agency, it may require the charge to be signed before a notary public or an agency official. Then the agency will investigate and resolve the charge under their statute. If this occurs, section 1601.76 of EEOC's regulations entitles you to ask us to perform a Substantial Weight Review of the agency's final finding. To obtain this review, a written request must be made to this office within 15 days of receipt of the agency's final finding in the case. Otherwise, we will generally adopt the agency's finding as EEOC's.  
New York State Division Of Human Rights  
Federal Contract Unit  
One Fordham Plaza, 4 Fl.  
Bronx, NY 10458

While your charge is pending, please notify us of any change in your address, or where you can be reached if you have any prolonged absence from home. Your cooperation in this matter is essential.

Sincerely,

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Roxanne Zygmund  
Investigator  
(212) 336-3766

Office Hours: Monday – Friday, 8:30 a.m. - 5:00 p.m.  
[www.eeoc.gov](http://www.eeoc.gov)

Enclosure(s)



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**New York District Office**

33 Whitehall Street, 5<sup>th</sup> Floor  
New York, NY 10004-2112  
For General Information: (800) 669-4000  
TTY: (800)-669-6820  
District Office: (212) 336-3630  
General FAX: (212) 336-3625

William A. DiGianni  
2147 83<sup>rd</sup> Street  
Brooklyn, NY 11214

Re: *William DiGianni v. American International Group (A.I.G.)*  
EEOC Charge No: 520-2009-01610


Dear Mr. DiGianni:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon the information and evidence you submitted. Based on this evaluation, we can not conclude that you were subjected to an adverse employment action motivated by discriminatory animus as defined by Commission guidelines and federal law because the EEOC does not have jurisdiction over Title V.

Attached is your Dismissal and Notice of Rights. If you wish to pursue this matter further in federal court, your lawsuit must be filed within 90 days of your receipt of the Notice. Please contact John Douglass, Supervisory Investigator at (212) 336-3765 if you have any questions.

Sincerely,

  
\_\_\_\_\_  
For  
Spencer H. Lewis, Jr.  
District Director

2/27/09  
Date

enc.